IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: 10/678,650 Confirmation No.: 7623 Application No. First Named Inventor: Hakenbeck, Regine Filed : October 06, 2003 TC/A.U. 1637 : Cynthia B.Wilder Examiner Docket No. : 104049.B270037 : DNA Probes, Method and Kit for Identifying Antibiotic-Title Resistant Strains of Bacteria INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 AND 1.98 Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application. I. Time Period of Submission This Information Disclosure Statement is submitted: no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R.§ 1.17(p) is required. after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (Exparte Quayle), (whichever is earlier), and therefore Applicant is filing concurrently herewith: a Statement under 37 C.F.R. § 1.97(e); or a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p). \boxtimes after either a Final Office Action or a Notice of Allowance, but 3)

a Statement under 37 C.F.R. § 1.97(e); and

before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)
I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or
III. Statement under 37 C.F.R. § 1.704(d)
I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.
IV. Submission of Non-English Language Documents
The following is a concise explanation of relevance of the non- English language documents listed in the attached Form PTO-1449:
The relevance of document(s) to the subject matter of the present invention is/are provided in the specification of the above-identified application.
Corresponding foreign or international report(s) citing document(s), together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.
English language family member publication(s) of document(s) is/are noted on Form PTO-1449.
English language abstract(s) is/are submitted for document(s)

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